

PERMIT NO. HI S000094

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. § 1251 et seq.; the "Act"); Hawaii Revised Statutes, Chapter 342D; and Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55, Department of Health (DOH), State of Hawaii;

MR. JAMES MONK

(hereinafter "PERMITTEE"),

is authorized to discharge storm water associated with the construction activities from the James Monk project site in South Kona, Hawaii to the following discharge point in accordance with the general requirements, discharge monitoring requirements and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," dated December 30, 2005: Pacific Ocean, Class AA, Marine Waters, Latitude 19°20'26"N and Longitude 155°53'08"W.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2004, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

This permit will become effective _____.

This permit and the authorization to discharge will expire at midnight,
December 1, 2010.

Signed this _____ day of _____, 2006.

(For) Director of Health

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- ATTACHMENTS:
- 1. STANDARD NPDES PERMIT CONDITIONS (Updated as of December 30, 2005)
 - 2. SOLID WASTE DISCLOSURE FORM FOR CONSTRUCTION SITES

A. GENERAL REQUIREMENTS

The Permittee shall:

1. Comply with all materials submitted in and with the application, dated August 8, 2006 and additional information, dated August 29, 2006.
2. Retain a copy of the application, including other related materials, and this permit at the job site or at a nearby field office.
3. Implement the project Site-Specific Construction Best Management Practices (BMPs) Plan as often as needed to improve the quality of storm water discharges or when instructed by the director.
4. Not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.
5. Inspect, at a minimum of once per week, the receiving state waters, storm water runoff and control measures and BMPs to detect violations of and conditions which may cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4 (e.g., the permittee shall look at storm water discharges and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce taste in the water or detectable off-flavor in fish, and inspect for items that may be toxic or harmful to human or other life.)
6. Immediately stop, reduce, or modify construction, or implement new or revised BMPs as needed to stop or prevent a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.
7. Review the effectiveness and adequacy of the implemented site-specific BMPs Plan(s) and Sediment and Erosion Control Plan(s) at a minimum of once per week, and update the plan as often as necessary. Any changes(s) to the site-specific BMPs Plans and/or Sediment and Erosion Control Plans or correction(s) to information already on file with the Clean Water Branch (CWB) shall be submitted to the CWB as such change(s) or correction(s) arises. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.

B. REPORTING REQUIREMENTS

The Permittee shall:

1. Complete and submit the enclosed Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management as specified on the form.
2. Submit the following site-specific information to the CWB for review and comment at least 30 days prior to the start of construction activities.
 - a. The general contractor information (CWB-Individual NPDES Form C: Section 3).
 - b. A copy of the county-approved grading permit (CWB-Individual NPDES Form C: Section 13.b.v).
 - c. An updated construction schedule (CWB-Individual NPDES Form C: Section 13.b.vi.)
 - d. The Site-Specific Construction Best Management Practices (BMPs) Plan (CWB-Individual NPDES Form C: Section 13.c).

All related concerns and/or comments pertaining to the above listed items shall be properly addressed to the CWB's satisfaction before the start of construction activities.

3. Submit any changes to information on file with the CWB as soon as changes arise. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.
4. Immediately notify the director of the incident and identify the pollutant(s) source(s) and the proposed and implemented control or mitigative measures as required in Section 16 of the "Standard NPDES Permit Conditions," dated December 30, 2005.
5. Complete and submit the Notice of Cessation Form (CWB-NOC Form) to the CWB within two (2) weeks of completion of the subject project. The CWB-NOC Form can be downloaded from our website at:
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/pdf/cwb-noc.pdf>.

6. Submit signed copies of all reports required by this permit to the Director at the following address or as otherwise specified:

Director of Health
Clean Water Branch
Environmental Management Division
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

7. Include the following certification statement and signature on each submittal in accordance with HAR, Chapter 11-55, Section 11-55-07(b):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

Include the NPDES permit number on each submittal. Failure to provide the assigned NPDES permit number for this facility on future correspondence or submittals may be a basis for delay of the processing of the document(s).

C. BEST MANAGEMENT PRACTICES (BMPs)

1. The Permittee shall:
 - a. Refrain from performing any work during heavy rainstorms.
 - b. Prevent loose particles, sand, soil, silt, and other construction debris at the project site from being washed away by storm water runoff to the various swales and drainage ways and eventually to the State waters.
 - c. Remove excavated materials as soon as possible or at the end of each work day. The excavated materials shall be disposed of to a State and/or County approved landfill site.
 - d. Not discharge water used for dust control to State waters.
 - e. Not discharge water used for irrigation to State waters, as applicable.
 - f. Not discharge hydrotesting effluent to State waters, as applicable.
 - g. Not stockpile unprotected materials on-site.
 - h. Wash-down vehicles and/or equipment and concrete truck drums only at designated areas and not discharge the wash waters to State waters.
 - i. Assure that the implemented BMPs are effective and the discharge effluent is in compliance with the basic State water quality standards.
2. The following special conditions apply to all land disturbance work conducted under this permit:
 - a. Construction Management Techniques
 - (1) Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
 - (2) Construction shall be sequenced to minimize the exposure time of the cleared surface area.
 - (3) Construction shall be staged or phased for large projects. Areas of one phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.

- (4) Erosion and Sediment Control Measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- (5) All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within 24 hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. The permittee shall maintain records of checks and repairs.
- (6) A specific individual shall be designated to be responsible for Erosion and Sediment Controls on each project site.

b. Vegetation Controls

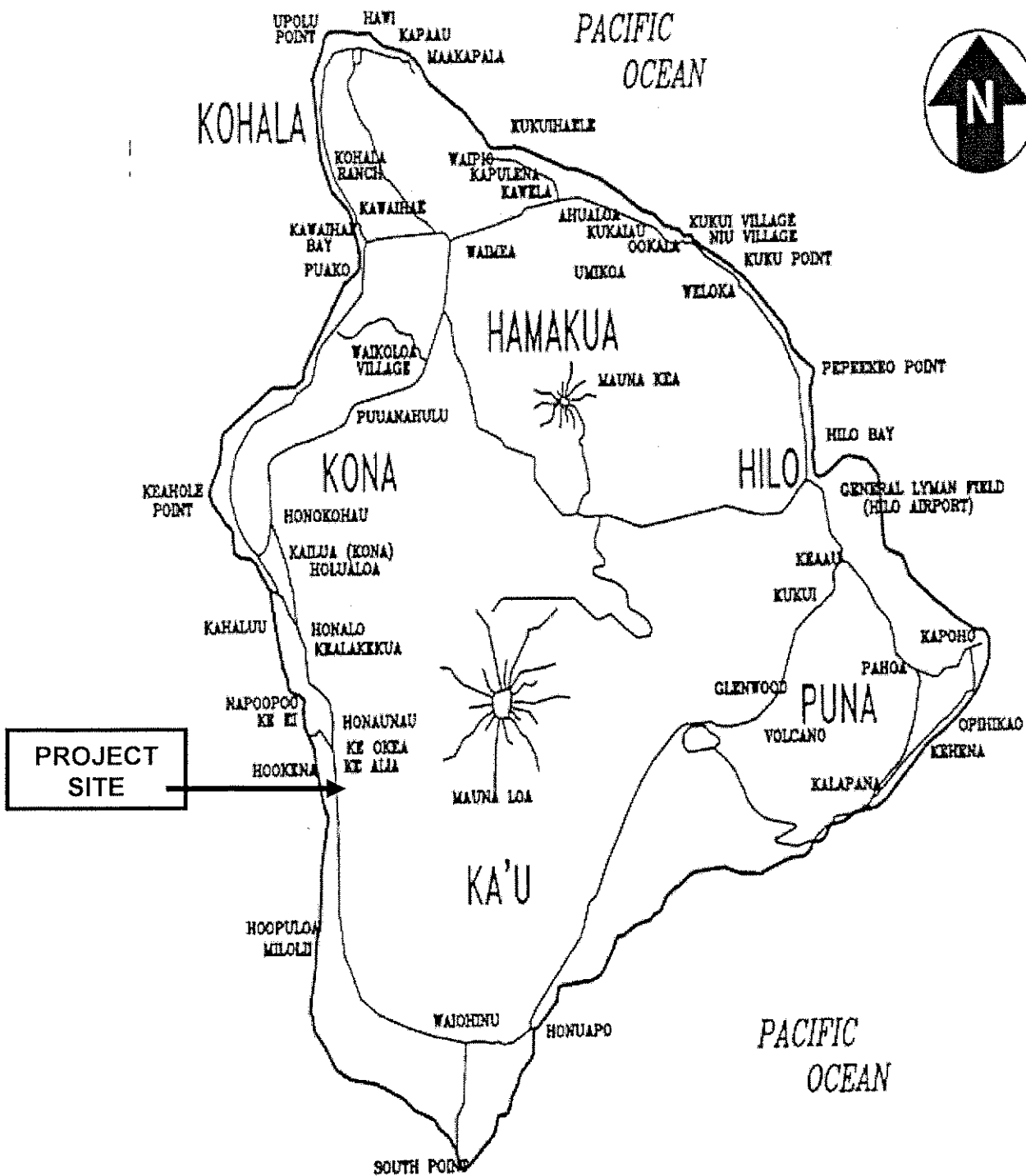
- (1) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than 20 calendar days prior to land disturbance.
- (2) Temporary soil stabilization with appropriate vegetation shall be applied on areas that will remain unfinished for more than 30 calendar days.
- (3) Permanent soil stabilization with perennial vegetation or pavement shall be applied as soon as practical after final grading. Irrigation and maintenance of the perennial vegetation shall be provided for 30 calendar days or until the vegetation takes root, whichever is shorter.

c. Structural Controls

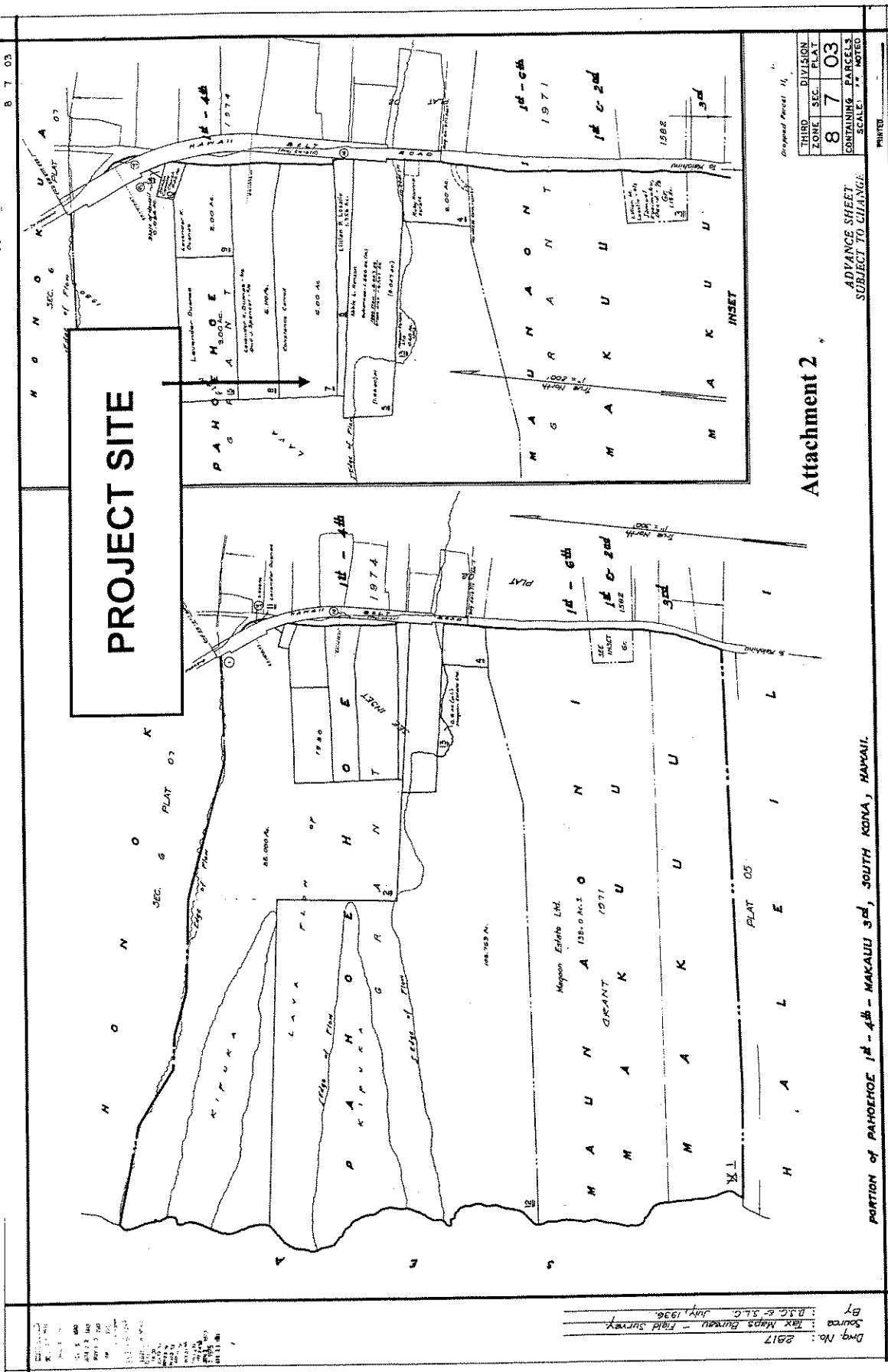
- (1) Storm water flowing toward the construction area shall be diverted by using appropriate control measures, as practical.
- (2) Erosion Control Measures shall be designed according to the size of disturbed or drainage areas to detain runoff and trap sediment.
- (3) Water must be discharged in a manner that the discharge shall not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.

D. MAP

See attachments 1 to 2



2a



Attachment 2

LOCATION MAP MONK

(3) 8-7-003: 007

PETER J.K. DAHLBERG, P.E.

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**Public Notice Permit
October 2, 2006**